

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **166 CHAPEL STREET** Special Exception to permit the use of Assembly and Light Fabrication in an existing building. Zone: IL. (Owner: ART CT 770 Land, LLC. Applicant: Art to Frames, LLC.)

REPORT: **1556-10**

ADVICE: **Coastal Site Plan: Approve**

PRINCIPAL APPLICABLE REGULATIONS

Section 42- Use regulations for business and industrial districts

Section 55- Coastal Area Management Districts

Section 63(d) Special Exceptions. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such uses and features upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and features are therefore treated as special exceptions.

BACKGROUND

The 1.53-acre property is located between Chapel Street and River Street with Blatchley Avenue abutting to the West with access to the property along River Street. The property currently contains two 1-story structures with the largest having frontage on both Chapel Street and Blatchley Avenue and consists of 41,908sf with the date of construction being in 1929. The second structure fronts River Street and consists of 7,063sf and was built in 1900. Both structures predate the NHZO which was enacted in 1963 and therefore any existing non-conformities would be legal. Parking is provided on site as well, due to common ownership, as on the 1.17-acre property abutting the subject lot to the East.

The site was originally home to Von Roll Inc. which manufactured insulated tape through a high heat process involving large ovens and cooling towers. The new proposed use would be for the assembly of picture frames by Art to Frames, LLC which is an internet-based business creating an estimated 150 direct jobs for the community.

APRIL 9 PUBLIC HEARING

The attorney (Ben Trachten) and site engineer (John Gabel) stated that the proposed use for assembling and placement of art on picture frames and lamp shades is allowed by special exception. Stated that the proposed use is less intensive than what has been there previously and that the site is heavily contaminated and can only be used for commercial purposes. The proposed use will use the existing loading spots with the only renovation being that of the reduction of the existing cooling towers which will in turn decrease the overall height of the building. The proposal would also be less intensive than the previous occupants regarding traffic in terms of incoming and exporting goods. Based on DEEP recommendations and environmental conditions nothing in terms of layout of the site will change. The state requires the site to be paved over and to have the soil remain untouched.

No members of the public spoke in either support or opposition of this application.

PLANNING CONSIDERATIONS:

COASTAL SITE PLAN REVIEW

The Board's Coastal Site Plan Review, in accordance with Section 55.C of the New Haven Zoning Ordinance shall consider the characteristics of the site, including location and condition of any coastal resources; shall consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources and future water-

dependent development opportunities; follow the goals and policies of the Connecticut Coastal Management Act, as amended, and identify conflicts between the proposed use and any goal or policy of the Act.

Characteristics and Condition of Coastal Resources at or Adjacent to the site:

Coastal Flood Hazard Area (Flood Zone): The property is within Flood Zone X Areas determined to be inside of the 0.2% annual chance (100-year) floodplain and located within the LOMR 18-01-0359P effective 6/22/2018. Map# 09009C0442J (July 8, 2013).

Nearshore Waters: The site is approximately 1,100ft to the northwest of the Quinnipiac River and 1,600ft to the northeast of the Mill River.

Shorelands: the site is within the coastal boundary on a previously developed non-waterfront or waterfront-adjacent site consisting of paved parking lot and two buildings.

Coastal Program Criteria	Comments
1. Potential adverse impacts on coastal resources and mitigation of such impacts	None
2. Potential beneficial impacts	The project plans to utilize the existing drainage sheets which flows to Blatchley Avenue and River Street to existing drainage systems. Silt sacs will be inserted into the on-site yard drain, Hydrostorm HS-5 with catch basin top and adjacent catch basins along River Street, Blatchley Avenue, and Chapel Street along with haybales along a portion of River Street. As a result, more stormwater runoff will be captured on site and there will be less and higher-quality runoff into the City stormwater system and water bodies.
3. Identify any conflicts between the proposed activity and any goal or policy in the §22a-92, C.G.S. (CCMA)	None
4. Will the project preclude development of water dependent uses on or adjacent to this site in the future?	Not waterfront
5. Have efforts been made to preserve opportunities for future water-dependent development?	Not waterfront
6. Is public access provided to the adjacent waterbody or watercourse?	Not waterfront
7. Does this project include a shoreline flood and erosion control structure (i.e. breakwater, bulkhead, groin, jetty, revetment, riprap, seawall, placement of barriers to the flow of flood waters or movement of sediment along the shoreline)?	No

8. Does this project include work below the Coastal Jurisdiction Line (i.e. location of topographical elevation of the highest predictable tide from 1983 to 2001)? New Haven CJL elevation is 4.6'.	No
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Sec. 60 Stormwater Management Plan:

The applicant submitted a Stormwater Management Plan as part of this application. This plan indicates that the proposal will result in no change to the impervious surface on the 1.53-acre property. In 2018, DEEP approved the use of an Engineered Control at the site as a remedial alternative to excavation and off-site disposal of impacted soil. The Engineered Control is comprised of the existing buildings and a minimum of 3 inches of competent asphalt or concrete throughout the exterior portions of the site. In accordance with the conditions of approval, the Engineered Control shall be continuously maintained to ensure protection of human health at the site, and to prevent direct exposure to identified impacts to the soil beneath. Additionally, the Engineered Control shall not be disturbed through excavation or other means without prior DEEP authorization. Stormwater calculations show no change in projected post construction stormwater volumes.

FINDINGS AND RECOMMENDATIONS

Based on considerations discussed above, the Commission views the Special Exception to be essentially in harmony with the general purpose and intent of the ordinance and that the public health, safety and general welfare will be served, and substantial justice done by its approval.

ADOPTED: April 17, 2019
Leslie Radcliffe
Vice Chair

ATTEST: 
Aicha Woods
Director, City Plan Department